

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TOMOYUKI IWANAGA : Examiner: A. Roy
Application No.: 10/645,480) : Group Art Unit: 3736
Filed: August 22, 2003) : Confirmation No.: 8722
For: NONCONTACT TONOMETER) :
: October 16, 2006
: (Monday)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's undersigned representative during the telephone interview conducted on September 12, 2006 and reported by the Examiner in the Interview Summary issued on September 15, 2006.

In the interview, Applicant's undersigned representative argued, along the lines of the arguments set forth in the Preliminary Amendment filed on July 7, 2006, that independent Claims 1, 17 and 18 are patentable over the art cited in the Office Action dated April 7, 2006, namely, U.S. Patent No. 5,946,073 (*Miwa* '073) and U.S. Patent No. 6,602,192 (*Miwa* '192). The Examiner stated that she believed the independent claims would overcome that art.

Applicant's undersigned representative also presented patentability arguments for

dependent Claims 5 and 8 with respect to *Miwa* '073. In that regard, the Examiner stated that she believed at least Claim 5 would overcome that document.

The Examiner indicated that if, upon final review of the July 7, 2006 Preliminary Amendment, she determined that some or all of the pending claims overcome the art of record, she would perform a further search of the prior art.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicant
Douglas W. Pinsky
Registration No. 46,994

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
DWP/km

DC_MAIN 253662v1